

(Minority Report.)

Committee Room,
Austin, Texas, January 20, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, a minority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 77, A bill to be entitled "An Act making theft of an automobile, or any part thereof, or accessory thereto, a felony, and affixing a punishment therefor, and declaring an emergency."

Beg to differ with a majority of your Committee and report the same back to the Senate with the recommendation that it do not pass.

WIRTZ,
HOLBROOK,
FAIRCHILD.

Committee Room,
Austin, Texas, January 24, 1927.
Hon. Barry Miller, President of the Senate.

Sir: Your Committee on Finance, to whom was referred

S. B. No. 151, A bill to be entitled "An Act increasing the appropriation of the Governor for the fiscal year ending August 31, 1927, for the payment of rewards and other expenses necessary for the enforcement of the law, telegraphing and telephoning and other expenses, including auditing; authorizing the use of said appropriation together with said increase in addition to the purposes mentioned, for the purpose of paying the compensation and expenses of procuring witnesses from outside of the State to appear and testify before grand juries in any criminal investigation in this State; or, appear and testify in any criminal prosecution, trial or case in this State; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with amendment, and that it be not printed.

WOOD, Chairman.

Committee Amendment to S. B. No. 151.

Committee Amendment No. 1.

Amend by adding, after the period on line 24, page 1, the following:

"Provided that when any part of said fund is used in paying compen-

sation and expenses of witnesses for either party in any criminal case, a like sum shall be allowed the opposite party for the payment of compensation and expenses of like witnesses."

Committee Room,
Austin, Texas, January 24, 1927.
Hon. Barry Miller, President of the Senate.

Sir: Your Committee on Finance to whom was referred

S. B. No. 100, A bill to be entitled "An Act amending Article 6815 of Title 117 Revised Civil Statutes of the State of Texas of 1925 so as to provide a salary for the Superintendent of the State Tuberculosis Sanatorium of \$5,000.00 per annum and the salary of the store keeper and accountant of the State Tuberculosis Sanatorium at an annual salary not to exceed \$2,000.00 and declaring an emergency."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass with amendment.

WOOD, Chairman.

Committee Amendment to S. B. No. 100.

Amend S. B. No. 100 by adding Section 2A:

"This Act shall take effect and be in force on and after September 1, 1927."

NINTH DAY.

Senate Chamber,
Austin, Texas.

Tuesday, January 25, 1927.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Berkeley.	Moore.
Bowers.	Neal.
Fairchild.	Parr.
Floyd.	Price.
Hardin.	Real.
Holbrook.	Russek.
Lewis.	Smith.
Love.	Triplett.
McFarlane.	Ward.
Miller.	Westbrook.

Wirtz.
Witt.

Wood.
Woodward.

Absent.

Reid.

Absent—Excused.

Bailey.
Bledsoe.
Greer.

Hall.
Pollard.
Stuart.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Lewis.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Fairchild:

S. B. No. 160, A bill to be entitled "An Act authorizing the county judge to appoint a stenographer and prescribing the duties of such stenographer; providing for his compensation, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Berkeley:

S. B. No. 161, A bill to be entitled "An Act to prevent the spread of disease through surface privies and cess-pools, prescribing certain regulations, localizing authority for the enforcement of same and placing of penalty, and declaring an emergency."

Read first time and referred to Committee on Public Health.

By Senator Fairchild:

S. B. No. 162, A bill to be entitled "An Act providing that no law in this State shall prevent any person from vaccinating, inoculating or treating his own hogs with hog cholera virus or serum or other remedy; repealing any law in conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Public Health.

By Senator Fairchild:

S. B. No. 163, A bill to be entitled "An Act requiring that all fees and charges of any kind collected from students, inmates or other persons by educational, eleemosynary or other

similar State institutions in this State, shall be placed in the State Treasury when collected, and prohibiting the expenditure of such fees except upon appropriations made by the Legislature and upon warrants drawn by the Comptroller pursuant to approved accounts as provided by the laws of this State, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Bowers:

S. B. No. 164, A bill to be entitled "An Act providing that in district or county courts in the trial of cases before a jury, the judge shall give a general charge to the jury unless all parties to the suit agree to have the same submitted to the jury on special issue; providing that it shall not be necessary to prepare exceptions to the court's charge to the jury prior to the charge being read to the jury, but that objections shall be noted prior to such reading to the jury and all exceptions to such charge and to the evidence and testimony shall be made in the motion for a new trial, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Neal:

S. B. No. 165, A bill to be entitled "An Act to permit the Marshall, Elysian Fields and Southeastern Railway Company to abandon its railroad, to take up its track, wind up its affairs, dissolve its corporation, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Holbrook:

S. B. No. 166, A bill to be entitled "An Act enacting a new section or subdivision of Article 1302 of the Revised Civil Statutes of 1925, relating to private corporations; authorizing the formation of private corporations for the following purpose; except where in conflict with Title 32, Revised Civil Statutes, 1925, or some constitutional or statutory provision, to conduct any one lawful business, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Ward:

S. B. No. 167, A bill to be entitled "An Act to create Road District No. 4, in Hill County, Texas, validating and

approving all orders made by the commissioners' court of said county, in respect to the organization of said district; validating the authorization, issuance, and sale of certain road bonds thereof, and providing for their payment by the annual levy, assessment and collection of general ad valorem taxes on all taxable property in said road district; approving and validating all orders of the commissioners' court of said county in respect of said road district, bonds and taxes, or certified copies thereof, and constituting such orders legal evidence, and declaring an emergency."

Read first time and referred to Committee on State Highways and Motor Traffic.

Simple Resolution No. 35.

Senator Love sent up the following resolution:

By Senator Love:

Resolved that the Senate has learned, with profound regret, of the death, on yesterday, of one of the chiefest private citizens of Texas, Captain W. H. Gaston of Dallas. In time of war he was one of the bravest soldiers of the Confederacy. In time of peace, for more than half a century, he went in and out before the people of Texas as a brave and generous and useful citizen. Verily a prince and a great man has fallen.

The resolution was read and adopted.

Bills Signed.

After their captions were read the Chair signed in the presence of the Senate the following bills and resolutions:

- H. B. No. 52.
- H. C. R. No. 6.
- S. B. No. 6.
- S. C. R. No. 7.

Simple Resolution No. 36.

Senator Love sent up the following resolution.

By Senator Love:

Resolved, That it is the sense of the Senate that the levying of a fair and reasonable State tax on inheritances is a just and democratic method of raising a portion of the revenues needed for the support of the State Government and should be continued.

The resolution was read.

Senator Holbrook moved to refer

the resolution to the Committee on State Affairs.

The motion to refer was lost by the following vote:

Yeas—10.

Hardin.	Russek.
Holbrook.	Triplett.
Miller.	Ward.
Parr.	Westbrook.
Real.	Wirtz.

Nays—12.

Berkeley.	Moore.
Fairchild.	Neal.
Floyd.	Price.
Lewis.	Witt.
Love.	Wood.
McFarlane.	Woodward.

Absent.

Bowers.	Smith.
Reid.	

Absent—Excused.

Bailey.	Hall.
Bledsoe.	Pollard.
Greer.	Stuart.

The resolution was adopted by the following vote:

Yeas—14.

Berkeley.	Moore.
Fairchild.	Price.
Floyd.	Triplett.
Holbrook.	Westbrook.
Lewis.	Witt.
Love.	Wood.
McFarlane.	Woodward.

Nays—6.

Hardin.	Real.
Miller.	Russek.
Neal.	Wirtz.

Absent.

Bowers.	Reid.
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Absent—Excused.

Bailey.	Pollard.
Bledsoe.	Stuart.
Hall.	

(Pairs.)

The following pairs were announced:

Senator Ward (present), who would vote nay; with Senator Greer (absent), who would vote yea.

Senator Parr (present), who would

vote nay; with Senator Smith (absent), who would vote yea.

Reason for Vote.

I voted yea on S. R. No. 36 so that I may have the privilege at a later date to move to reconsider the vote by which the resolution was adopted.

HOLBROOK.

Message From the House.

The Chair recognized the door-keeper who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, Jan. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 6, A bill to be entitled "An Act amending Chapter 115, Local and Special Laws, Regular Session, Thirty-fifth Legislature of the State of Texas entitled 'An Act to create a more efficient road law for Duval County, Texas, etc.'; to permit the issuance of refunding bonds for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

H. B. No. 6, A bill to be entitled "An Act providing for the redemption of property sold under a judgment for taxes levied by any district organized under the laws of the State of Texas, and declaring an emergency."

H. B. No. 138, A bill to be entitled "An Act to create Road District No. 4 of Wilbarger County, Texas; validating and approving all orders made by the commissioners' court of said county in respect to the organization of said district; validating the authorization of certain road bonds thereof, and providing for the issuance and sale thereof; authorizing the commissioners' court to levy and provide for the assessment and collection of general ad valorem taxes on all taxable property in said road district in payment of principal and interest on said bonds; approving and validating all orders of the commissioners' court of said county in respect of said road district, bonds and taxes, or certified copies thereof, and constituting such orders legal evidence; evidencing proof of publica-

tion of constitutional notice required in such acts, and declaring an emergency."

S. C. R. No. 7, A simple concurrent resolution "Making certain requests of the district judges of this State."

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

Simple Resolution No. 37.

Senator Real sent up the following resolution.

By Senators Real and Wirtz:

Whereas, Hon. Perry Lewis of San Antonio, a distinguished former member of this body, is in the city,

Be it resolved, That he be extended the liberty of the Senate Chamber while in the city, and that he be invited to address the Senate.

REAL.

WIRTZ.

The resolution was read and adopted.

Address by Hon. Perry Lewis.

Hon. Perry Lewis was escorted to the platform and briefly addressed the Senate.

Senate Bill No. 146.

On motion of Senator Real, S. B. No. 146 was transferred from the Committee on Public Health to the Committee on State Affairs.

House Bills Referred.

After their captions were read the Chair referred the following bills:

H. B. No. 138, referred to Committee on Highways and Motor Vehicles.

H. B. No. 6, referred to Committee on State Affairs.

Senate Bill No. 22.

The Chair laid before the Senate on the Calendar the following bill:

S. B. No. 22, A bill to be entitled "An Act to amend Article 3742 of the Revised Civil Statutes of 1925 and providing for the perpetuation of testimony, so as to include as a part of said Article 3742 applications or anticipated applications or petitions for the probate of wills, within the meaning of the word suit as used in said article, and to provide the mode and manner of service or notice on the application or statement of the party desiring to perpe-

tuate testimony for use in an anticipated application or petition for the probate of a will; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Lewis, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 22 put on its third reading and final passage, by the following vote:

Yeas—23.

Berkeley.	Parr.
Bowers.	Price.
Fairchild.	Real.
Floyd.	Russek.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
Hardin.	Witt.
Miller.	Wood.
Moore.	Woodward.
Neal.	

Absent.

Reid.

Absent—Excused.

Bailey.	Pollard.
Bledsoe.	Smith.
Greer.	Stuart.
Hall.	

The bill was read third time and passed finally, by the following vote:

Yeas—23.

Berkeley.	Parr.
Bowers.	Price.
Fairchild.	Real.
Floyd.	Russek.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.
Neal.	

Absent.

Reid.

Absent—Excused.

Bailey.	Pollard.
Bledsoe.	Smith.
Greer.	Stuart.
Hall.	

Senate Bill No. 55.

The Chair laid before the Senate on the Calendar the following bill:

S. B. No. 55, A bill to be entitled "An Act amending Section 7, 19, and 29, of Chapter 172, of the General Laws of the Regular Session of the Thirty-ninth Legislature so as to better provide for protection of game, and providing a more adequate manner for limits of game or wild birds and animals that may be taken, killed or possessed; providing for hunting licenses in this State; enacting proper provisions for the protection of wild deer, wild fawn deer, and wild buck deer; defining the necessary offenses and prescribing penalties to carry out the provisions of this Act; providing for proper fees of officers and all things incidental to the main purposes of this Act, and declaring an emergency."

The bill was read second time.

Senator Berkley sent up the following amendment:

Amend S. B. No. 55 by adding at the end of Section 10 the following:

"In the territory of this State west of the Pecos River, the open season for the killing of deer shall be from November 15th to December 1st and the bag limit shall be only one buck deer during the open season and the penalties for violating this provision shall be the same as provided by law for violations of the open season law for deer and the law fixing the bag limit for deer."

The amendment was read.

The amendment failed to be adopted.

Senator Wirtz sent up the following amendment:

Amend S. B. No. 55 by striking out of the printed bill page 2, lines 31 and 32, the following: "or any wild buck deer unless it has six or more points on antlers."

The amendment was read.

The bill was engrossed by the following vote:

Yeas—19.

Berkeley.	McFarlane.
Bowers.	Miller.
Fairchild.	Moore.
Floyd.	Price.
Hardin.	Real.
Holbrook.	Russek.
Lewis.	Triplett.
Love.	Westbrook.

Witt. Woodward.
Wood.

Nays—3.

Neal. Wirtz.
Parr.

Absent.

Reid. Ward.

Absent—Excused.

Bailey. Pollard.
Bledsoe. Smith.
Greer. Stuart.
Hall.

On motion of Senator Berkeley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 55 put on its third reading and final passage, by the following vote:

Yeas—22.

Berkeley. Neal.
Bowers. Parr.
Fairchild. Price.
Floyd. Real.
Hardin. Russek.
Holbrook. Triplett.
Lewis. Ward.
Love. Westbrook.
McFarlane. Witt.
Miller. Wood.
Moore. Woodward.

Nays—1.

Wirtz.

Absent.

Reid.

Absent—Excused.

Bailey. Pollard.
Bledsoe. Smith.
Greer. Stuart.
Hall.

The bill was read third time and passed finally.

Senate Bill No. 71.

The Chair laid before the Senate on the Calendar the following bill:
By Senator Love:

S. B. No. 71, A bill to be entitled "An Act prescribing and fixing the number of hours that shall constitute a legal day's work on all work being performed by or on behalf of the State of Texas, or by or on behalf of any county, municipality or other

legal or political subdivision of said State; providing for cases of emergency; prescribing penalties for its violation, and expressly repealing an Act passed at the Regular Session of the Thirty-second Legislature, known as H. B. No. 98, and being the same Act that was attempted to be vetoed by the Governor, but which veto was held ineffective by the Supreme Court because the veto message was filed with the Secretary of State after the expiration of twenty days as held by the Supreme Court in the case of R. B. Minor, et al. vs. C. C. McDonald, Secretary of State; and expressly repealing H. B. No. 298, known as Chapter 121 of the Acts of the Thirty-seventh Legislature, Regular Session of 1921, and declaring an emergency."

The bill was read second time.

The committee report carrying amendment was adopted.

Recess.

The Senate at 11:45 a. m. on motion of Senator Wirtz recessed until this afternoon at 2:00 o'clock p. m.

After Recess.

The Senate was called to order by Lieutenant Governor Miller at 2:00 p. m. pursuant to recess.

Senate Bill No. 71.

The question recurred upon the engrossment of S. B. No. 71.

The roll call developed no quorum.

Yeas—11.

Berkeley. Moore.
Fairchild. Price.
Hardin. Real.
Holbrook. Triplett.
Love. Westbrook.
McFarlane.

Nays—7.

Bowers. Ward.
Lewis. Wirtz.
Miller. Witt.
Parr.

Absent.

Floyd. Russek.
Neal. Wood.
Reid. Woodward.

Absent—Excused.

Bailey.	Pollard.
Bledsoe.	Smith.
Greer.	Stuart.
Hall.	

Senator Price moved a call of the Senate until the bill was disposed of.

The Secretary called the roll, and the following Senators answered to their names:

Berkeley.	Moore.
Bowers.	Parr.
Fairchild.	Price.
Floyd.	Real.
Hardin.	Russek.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Westbrook.
McFarlane.	Wirtz.
Miller.	

Absent.

Neal.	Wood.
Reid.	Woodward.
Witt.	

Absent—Excused.

Bailey.	Pollard.
Bledsoe.	Smith.
Greer.	Stuart.
Hall.	

Adjournment.

Senator Wirtz moved that the Senate adjourn until tomorrow morning at 10:00 o'clock.

The motion to adjourn was adopted by the following vote:

Yeas—10.

Bowers.	Parr.
Fairchild.	Russek.
Hardin.	Triplett.
Holbrook.	Westbrook.
Miller.	Wirtz.

Nays—9.

Berkeley.	Price.
Lewis.	Real.
Love.	Ward.
McFarlane.	Witt.
Moore.	

Absent.

Floyd.	Wood.
Neal.	Woodward.
Reid.	

Absent—Excused.

Bailey.	Pollard.
Bledsoe.	Smith.
Greer.	Stuart.
Hall.	

APPENDIX.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Jan. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 89 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 55 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 90 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 92 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 93 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 25, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 94

carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 28 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 103 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 82 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 88 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 102 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-

grossed Bills, have had S. B. No. 110 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 151 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 22 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Jan. 24, 1927.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 115, A bill to be entitled "An Act to repeal Articles 357, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 464, 466, 470, 475, 475a, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, and 489, Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature; providing that bonds executed and securities deposited by State banks before the passage of this Act, under the statutes hereby repealed, as members of the bond security system, shall not be affected by this repeal until the lapse of one year from the time of the approval of said bond by, or deposit of said securities with, the Banking Commissioner, under existing statutes; and upon the anniversary date of the deposit of said securities with said Commissioner next following the passage of this Act, said securities shall be returned by said Commissioner to the bank depositing same, provided the depositing bank shall not have failed and no suits are pending against it in-

volving its said securities. Any action against the principal or sureties of any bond, or other guaranty of indemnity, shall be brought within one year from the date of the expiration of such bond or other guaranty of indemnity, and not thereafter; and providing further that the repeal of any statute or portion thereof by this Act shall not affect or impair any act done, or right vested or accrued, or any proceeding, suit or prosecution commenced before or after this Act shall take effect, to enforce rights vested or accrued prior to the passage of this Act; and providing further that no offense committed, and no liability, penalty or forfeiture, either civil or criminal, incurred prior to the time this Act takes effect shall be discharged or affected hereby; and providing further, that the statutes hereby repealed shall remain in full force and effect for the purpose of liquidating all failed banks in the hands of the Banking Commissioner of Texas at the time this Act shall take effect; and providing further that the passage of this Act shall not affect the liability of State banks for assessments to the guaranty fund as such liability existed at the time this Act takes effect; nor shall any State bank be permitted to withdraw its interest in the guaranty fund until all lawful demands against such interest existing at the time this Act takes effect have been fully satisfied and discharged; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

RUSSEK, Chairman.

TENTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, January 26, 1927.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Berkeley.
Bledsoe.

Bowers.
Fairchild.

Floyd.	Real.
Hardin.	Russek.
Holbrook.	Stuart.
Lewis.	Triplett.
Love.	Ward.
McFarlane.	Westbrook.
Miller.	Wirtz.
Moore.	Witt.
Neal.	Wood.
Parr.	Woodward.
Price.	

Absent—Excused.

Bailey.	Pollard.
Greer.	Reid.
Hall	Smith.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Stuart.

Senator Reid was excused for the last several days and indefinitely on account of illness.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senators Ward and Woodward:

S. B. No. 168, A bill to be entitled "An Act amending Articles 1256 and 1257 of the Penal Code of 1925, so as to properly define murder, and fixing the punishment for murder; inserting in the Penal Code a new article numbered 1257-a relating to what may be proved, and considered by the jury, in determining the punishment to be assessed for murder; repealing Chapter 15 of Title 15 of the Penal Code of 1925, relating to manslaughter and all other laws in conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Real:

S. B. No. 169, A bill to be entitled "An Act providing for the extension of electric light, power and gas lines by street and interurban railway corporations for the purpose of supplying light, power and gas to the public at points beyond the territory adjacent to the town or cities in or